

**BEFORE THE  
MISSISSIPPI PUBLIC SERVICE COMMISSION  
JACKSON, MISSISSIPPI**

**MISSISSIPPI PUBLIC SERVICE COMMISSION**

**2009-AD-347**

**IN RE:      PROPOSAL OF THE MISSISSIPPI PUBLIC SERVICE  
COMMISSION TO ADOPT A NEW RULE FOR ITS RULES AND  
REGULATIONS GOVERNING PUBLIC UTILITY SERVICE**

**FINAL ORDER ADOPTING RULE**

COMES NOW, the Mississippi Public Service Commission ("Commission") and issues this Final Order in which it adopts the Ratepayers' Bill of Rights as a preamble to its Rules and Regulations Governing Public Utility Service ("Service Rules"). Consistent with this adoption, the Commission adopts amendments and/or additions to Service Rules 6, 7, 8, and 9 as well as Rule 15 of the Public Utilities Rules of Practice and Procedure ("Procedural Rules").

Pursuant to Miss. Code Ann. §§77-3-1 et seq., the Mississippi Public Service Commission hereby adopts the attached Rule. A copy of the rule change is attached to this Order in a red-lined format and a complete copy of the Rules are available for review in the Office of the Executive Secretary at the Woolfolk State Office Building, Suite 201-A, 501 N. West Street, Jackson, Mississippi, 39201.

On August 5, 2009, the Commission issued an Order Seeking Comments regarding additional and/or amended rules under the jurisdiction of the Commission, more specifically "Ratepayers Bill of Rights." Notice was published according to applicable law and was filed with the Secretary of State in accordance with the Mississippi Administrative Procedures Act, Miss. Code Ann. §§25-43-1.101 et seq.

EXHIBIT

A

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(“A.P.A.”) Numerous parties have intervened, including but not limited to: Entergy Mississippi, Inc.; Mississippi Power Company; Mississippi Rural Water Association; Atmos Entergy Corporation; BellSouth Telecommunications, Inc.; CenterPoint Energy Resources Corp.; Mississippi Attorney General; Southwest Water Company; and Telepak Networks, Inc.

Subsequently, on February 11, 2010, the Commission after considering comments, entered an Order Establishing Rulemaking Docket, which included the Commission’s proposed Ratepayers Bill of Rights and amendments and/or additions to Service Rules 6, 7, 8, 9, and 10. In accordance with the A.P.A., the Order also included an Economic Impact Statement for Proposed Right 19. Following the A.P.A., notice was again published and filed with the Secretary of State. A second set of Comments was received from numerous intervenors. On March 30, 2010 after considering all submissions, the Commission entered an amended Order Establishing Rule-Making Docket. On May 4, 2010, the Commission held a public hearing in which the proposed rule changes were discussed. Several of the intervenors presented testimony at the hearing.

The Commission desires to increase the effectiveness of its Service and Procedural Rules by providing utility customers with a “Ratepayers Bill of Rights”. Having considered all the Comments filed and the testimony presented at the hearing, the Commission finds that the attached proposed Ratepayers Bill of Rights and proposed changes to Service Rules 6, 7, 8, and 9 and Procedural Rule 15 accomplish this goal and that the same should be adopted as the Commission’s final rules.

IT IS, THEREFORE, ORDERED, that the attached Ratepayers Bill of Rights, and changes to Service Rules 6, 7, 8, and 9 as well as Procedural Rule 15, as amended, are

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hereby adopted. The changes are within the scope of the original Notice of Proposed Rule adoption, and therefore provide fair warning as to the contents. These Rules shall be included in the next bound publication of the Rules and Regulations Governing Public Utility Service and the Public Utilities Rules of Practice and Procedure and numbered sequentially in accordance with the requirements of the Administrative Procedures Act.

The Executive Secretary is directed to transmit a copy of this Final Order to the Secretary of State's Office in accordance with the Mississippi Administrative Procedures Act, Miss. Code Ann. §§25-43-1.101 *et seq.*

The Executive Secretary is also directed to transmit a copy of this Final Order to all intervenors and any other parties of interest identified as well as publish the same according to applicable law.

IT IS FURTHER ORDERED, that this Order shall become effective upon issuance and shall be deemed issued on the day it is served upon the intervening parties of record by the Executive Secretary of this Commission who shall note the service date in the file of this Docket. Pursuant to Miss. Code Ann. § 25-43-3.113, the attached rule shall become effective 30 days after filing with the Secretary of State.

Chairman Brandon Presley voted Aye; Vice Chairman Lynn Posey voted Aye; and Commissioner Leonard Bentz voted Aye.

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Dated this the 31<sup>st</sup> day of August, 2010.



MISSISSIPPI PUBLIC SERVICE COMMISSION

  
Gordon Presley, Chairman

  
Lynn Posey, Vice Chairman

  
Leonard L. Bentz, Commissioner

ATTEST: A True Copy

  
Brian U. Ray  
Executive Secretary

### **Mississippi Ratepayers' Bill of Rights**

**The following Rights are available to all residential utility customers in the State of Mississippi under the provisions of the Mississippi Public Service Commission's Rules and Regulations Governing Public Utility Service or the Commission's Rules of Practice and Procedure.**

#### **RIGHT 1**

Ratepayers shall have the right to avoid discontinuation of service for nonpayment on any Saturday or Sunday or any holiday observed by the utility, unless the utility is open to accept payment and restore service on those days. (See Service Rule 8.A.2.)

#### **RIGHT 2**

Ratepayers shall have the right to avoid discontinuation of service for a period of sixty (60) days for nonpayment when the utility receives written notice from a medical doctor licensed to practice in the State of Mississippi, or any adjoining state, certifying that discontinuance of service would create a life threatening situation for the customer or other permanent resident of the customer's household. (See Service Rule 8.F.1)

#### **RIGHT 3**

Ratepayers shall have the right to be given a written notice from the utility company of pending discontinuation of service at least five (5) days prior to disconnection of service. This notice shall include a date on or after which discontinuance may occur. (See Service Rule 8.A.1)

#### **RIGHT 4**

Ratepayers shall have the right to negotiate with any electric or natural gas company a delayed payment plan to avoid discontinuation of service for a delinquent account in accordance with the utility's terms and conditions. (See Service Rule 8.B.1)

#### **RIGHT 5**

Ratepayers shall have the right to avoid discontinuation of service for failure to pay for merchandise purchased from the utility. (See Service Rule 7.F.2 and 8.F.2)

#### **RIGHT 6**

Ratepayers shall have the right to avoid discontinuation of service or refusal of service because a former occupant, not of the same household, failed to pay prior bill. (See Service Rule 7.F.1)

#### **RIGHT 7**

Ratepayers shall have the right to designate another person to receive all information regarding their services including notices regarding past due bills and disconnection of service. (See Service Rule 6)

#### **RIGHT 8**

Ratepayers shall have the right to avoid disconnection of their electric or gas service between December 1 and April 1 if they are participating in the "mid-winter rule" as described in the Rules and Regulations Governing Public Utility Service. (See Service Rule 8.E)

**RIGHT 9**

Ratepayers shall have the right to avoid discontinuation of service of electric or natural gas service for nonpayment, if the ratepayer has been approved for Low Income Home Energy Assistance Program (LIHEAP) benefits in an amount equal to the delinquent balance, payable within thirty (30) days, and the notice of the approval has been given to the utility provider. (See Service Rule 8.B.2.)

**RIGHT 10**

Ratepayers shall have the right to avoid discontinuation of service for failure to pay a portion of any bill that is in dispute, provided that a deposit is made by the ratepayer for amounts in dispute. (See Service Rule 10.B)

**RIGHT 11**

Ratepayers shall have the right to negotiate monthly installments for initial service deposits in excess of One Hundred Dollars (\$100.00) provided that the entire amount of the deposit is paid within 60 days. (See Service Rule 9.A.3.)

**RIGHT 12**

Ratepayers shall have the right to avoid discontinuation of electric or natural gas service for nonpayment of bills if, as of 8:00 a.m. on the scheduled disconnection day, a freeze warning has been issued by the National Weather Service for the county of the scheduled disconnection. (See Service Rule 8.F.3)

**RIGHT 13**

Ratepayers shall have the right to avoid discontinuation of electric service for nonpayment of bills if, as of 8:00 a.m. on the scheduled disconnection day, an Excessive Heat Warning has been issued by the National Weather Service for the county of the scheduled disconnection. (See Service Rule 8.F.3)

**RIGHT 14**

Ratepayers who have had their service discontinued for non-payment, shall have the right to have their service restored in a prompt and efficient manner on the first business day after the balance due is paid, except under extreme circumstances where ongoing restoration efforts prevent reconnection from occurring within that time period. (See Service Rule 8.A.3)

**RIGHT 15**

Ratepayers shall have the right to request a written explanation if the utility company refuses to initially serve a consumer. When the ratepayer has provided the utility company with a valid mailing address, the explanation shall be mailed to the ratepayer within seven (7) business days and shall include the reason service is being refused and what actions the consumer must take in order to receive service. (See Service Rule 7)

**RIGHT 16**

Ratepayers shall be given accurate and understandable information concerning the price and terms of service. (See Service Rule 10.A)

**RIGHT 17**

Ratepayers shall have access through the Mississippi Public Service Commission to an independent administrative process that provides a simple, quick, and effective means of resolving complaints about service and bills from all electric, gas, water, and telecommunications service providers over which the Commission has appropriate jurisdiction. Ratepayers are encouraged to attempt to resolve the dispute directly with the utility company. (See Procedural Rule 11)

**RIGHT 18**

Ratepayers shall have the right to intervene in any case before the Mississippi Public Service Commission affecting their rates or their utility service. (See Procedural Rule 6.121)

**RIGHT 19**

Ratepayers shall have the right to register their residential telephone number on the Mississippi No Call Registry at no charge. (See Procedural Rule 28)

**RIGHT 20**

Ratepayers shall have the right to file a complaint against telemarketers who violate the Mississippi No Call Law. (See Procedural Rule 28)

**RIGHT 21**

Ratepayers shall have the right to view or listen to Mississippi Public Service Commission hearings and docket calls that are held in the Commission's Courtroom via the Internet. (See Procedural Rule 15)

## **RULES AND REGULATIONS GOVERNING PUBLIC UTILITY SERVICE**

### **RULE 6. CUSTOMER RELATIONS**

**A. INFORMATION TO CUSTOMERS** Each utility shall upon request give its customers such information and assistance as may be reasonable in order that customers may obtain efficient and reasonably adequate service. Residential customers may designate in writing another person to receive all notices regarding past due bills and disconnection of service. The utility shall make available to their customers at all offices appropriate forms for use by the customer in designating another person to receive such notices. The utility may require the use of such forms as the sole means to make said designation.

**B. CHANGES IN CHARACTER OF SERVICE** Each utility shall use due diligence to notify each of its customers of any change made or proposed to be made in the character of its service that would substantially affect the efficiency of the services or the operation of the appliances or equipment which may be used by the customers. Whenever, after such a change is made, any inspection or minor adjustment of appliances or equipment is required, such inspection or adjustment shall be made by the utility without charge.

#### **C. METER READINGS AND RATES**

(1) Each utility shall, upon request, inform its customers as to the method of reading meters.

(2) It shall be the duty of the utility to supply or make available to the customer, either at the beginning of service or whenever the customer shall request it, a copy of the rates applicable to the type or types of service furnished the customer and to assist him in obtaining the rate which is most advantageous for his requirements for service.

**D. CUSTOMER COMPLAINTS** Each utility shall make a full and prompt investigation of all complaints made to it by its customers, either directly or through the Commission. It shall keep a record of all complaints received, which record shall show the name and address of the complainant, the date and character of the complaint, the adjustment or disposal made thereof, and the date of such adjustment or disposal. For purposes of this rule, the word "complaint" shall be construed to mean an objection to the application and/or computation of charges, facilities or service of a utility made during office hours to an employee on duty.

**E. NOTICE TO CUSTOMERS** Every utility over which the Commission has rate jurisdiction shall notify each of its affected customers by U.S. Mail of the filing of a rate increase, showing the date of filing of said increase, the amount of the increase requested, and the percentage of increase said amount represents. Such notice may be given by the utility by mailing by U.S. Mail, postage prepaid, to the last known address of the customer. If the utility employs monthly cycle billings, said notification may be included with or printed on bills of regular billing cycles beginning not later than fifteen days after



the date of filing and shall continue with each billing cycle until all affected customers are notified. If the utility does not employ monthly cycle billing, said notification may be included with or printed on the first monthly bill rendered subsequent to the filing date. Alternatively, any utility may notify all affected customers by U.S. Mail, postage prepaid, within fifteen days after the date of filing. Each utility shall file with the Commission a sworn certificate of service to read as follows:

In compliance with Rule 6E of the Public Service Commission Rules and Regulations Governing Public Utilities Service, 1, the undersigned officer of the filing utility, hereby certify that I have caused to be served, in a manner provided in said rule, notice of the rate increase filed the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_ said notice showing the date of the filing of said increase, the amount of increase requested and the percentage of increase said amount represents.

Such certificate shall be dated and signed by an appropriate officer of the utility. Such certificate shall, in the absence of fraud or bad faith, constitute compliance with this rule. A schedule of Rates, Terms and Conditions showing the present and proposed rates shall be made available for public inspection in the office of the utility. Nothing herein shall be deemed to affect the 30-day notice period required by Section 77-3-37 of the Mississippi Code of 1972.\*

\*RULE 6. E., as amended by Order of the Commission in Docket U-4605, effective December 20, 1984, (Initiated by Order in U-4074, effective October 1, 1981.)

## **RULES AND REGULATIONS GOVERNING PUBLIC UTILITY SERVICE**

### **RULE 7. REFUSAL TO SERVE CUSTOMERS**

**A. COMPLIANCE BY CUSTOMER** Any utility may decline to serve a customer or prospective customer until he has complied with all state and/or municipal regulations governing the service applied for and has also complied with the reasonable rules and regulations of the utility.

**B. INADEQUATE FACILITIES** A utility may decline to serve an applicant for service, or materially change the service of any customer, if in its judgment, it does not have adequate facilities to render the service applied for or the desired service is of such character that is likely to affect unfavorably the service to other customers; provided, if the utility is otherwise obligated to serve the applicant or change the service of the customer, it shall do so as soon as it may reasonably provide the required facilities.

**C. HAZARDOUS EQUIPMENT** The utility may refuse to serve a customer if, in its best judgment, the customer's installation of equipment is regarded as hazardous or of such character that satisfactory service cannot be given. This rule shall not be construed as imposing any duty upon a utility to determine the safety or suitability of a customer's installation of equipment for the use intended.

**D. FOR INDEBTEDNESS** A utility may decline to serve any applicant who is indebted to the utility for the same kind of service as that applied for; provided, however, that in the event the indebtedness of the applicant for service is in dispute, the applicant shall be served upon complying with the deposit required in Rule 9 hereof, and, in addition thereto, making a special deposit in an amount equal to the net balance in dispute. Upon settlement of a disputed account, the balance, if any, of such special deposit due the applicant shall be promptly repaid.

**E. COMPLAINT TO COMMISSION** In any case of a dispute concerning refusal of service, the utility should inform the customer that he is privileged to lodge a complaint with the Commission concerning the matter if he chooses to do so.

**F. INSUFFICIENT GROUNDS FOR REFUSAL TO SERVE** The following shall not constitute sufficient cause for refusal of service to a present or prospective customer:

- 1 . Delinquency in payment for service by a previous occupant (not of the same household as the present applicant) of the premises to be served.
2. Failure to pay for merchandise purchased from the utility.
3. Failure to pay for a different kind of public utility service.
4. Violation of the utility's rules pertaining to operation of nonstandard equipment which interferes with service to others, or other services such as communication

services, unless the customer has first been notified and been afforded reasonable opportunity to comply with said rules; provided, however, that where a dangerous condition exists on a customer's premises, service may be refused or discontinued without notice.

G. EXPLANATION Residential customers may request a written explanation of the utility's decision to refuse service. The explanation shall include the reason service is being declined and what actions the customer must take in order to receive service. The ratepayer shall provide the utility company with a valid mailing address where the response can be mailed. The utility shall provide and make available to their customers at all offices appropriate forms for use by the customer to request an explanation of the utility's decision to decline service. The utility shall mail the written explanation within seven (7) business days after receipt of the written request by mailing U.S. Mail, postage prepaid, to the known address of the potential ratepayer.

## **RULES AND REGULATIONS GOVERNING PUBLIC UTILITY SERVICE**

### **RULE 8. DISCONTINUANCE OF SERVICE**

#### **A. FOR VIOLATION OF RULES AND REGULATIONS**

(1) No utility shall discontinue service to any customer for violation of its rules and regulations nor for nonpayment of bills without first having used due diligence to give the customer notice of such violation or delinquency and reasonable opportunity to comply with its rules and regulations or to pay his bills. In no case shall service be actually discontinued until after at least (5) five days written notice shall have been given to the customer by the utility; provided, however, for fraudulent, careless, negligent, or unlawful use of the commodity or service, or where a dangerous condition is found to exist on the customer's premises, service may be discontinued without advance notice. This notice shall include a date on or after discontinuance may occur. Such notice may be given by the utility by mailing by U.S. Mail, postage prepaid, to the known address of the customer.

(2) No utility shall discontinue service for nonpayment of bills to a residential customer on any Saturday or Sunday or any holiday observed by the utility unless the utility is open to accept payment (including, but not limited to, a money order) and restore service on those days

(3) The utility shall reconnect service in a prompt and efficient manner on the first business day after the balance due has been received by the utility, except under extreme circumstances where ongoing restoration efforts prevent reconnection from occurring within that time period.

#### **B. PAYMENT OF DELINQUENT ACCOUNTS**

(1) A customer shall have the privilege of paying any delinquent account at any time prior to the actual disconnection or turning off of service. Residential customers shall have the right to negotiate with any electrical or natural gas company a delayed payment plan to avoid discontinuation of service for a delinquent account in accordance with the utility's terms and conditions.

(2) No utility shall discontinue service to a residential customer for failure to pay a delinquent account if the residential customer has been approved for Low Income Home Energy Assistance Program (LIHEAP) benefits in an amount equal to the delinquent balance, payable within thirty (30) days, and the notice of the approval has been given to the utility provider.

(3) Whenever a utility dispatches an employee to the premises of any customer for the purpose of discontinuing service for nonpayment, and the payment of such account is made to such employee without service actually being disconnected, a

fee of \$1.00 shall be added to and collected as a part of such delinquent account to cover, in part, the cost of dispatching such employee to the customer's premises. When service has actually been discontinued on account of the failure of the customer to pay a delinquent account or for any other reason without fault of the utility, if the customer desires the service to be restored at the same location, the utility shall require the customer to pay a reconnection charge of \$2.00. The charges as set out in this paragraph and/or the application thereof, may be changed by the individual utility filing a tariff rate schedule, or service rule or regulation covering these charges as provided by law.

**C. NOTICE OF DELINQUENCIES** Notice of delinquencies as required in Paragraph A of this Rule shall be considered to be given to the customer when a copy of such notice is left with such customer, left at the premises where service is provided, or posted in the U.S. Mail, addressed to the customer at his last known address.

**D. CHANGE IN LOCATION OF SERVICE OR PREMISES SERVED** When at a customer's request, the utility changes the location or premises at which service is rendered, the service at the new and old locations or premises and the account therefor shall, for the purposes of these rules, be deemed one service and one account and the change of the location or premises to which service is rendered shall not be deemed to affect the rights of the utility with regard to the application of deposit or discontinuance of service for non-payment of the account.

**E. MID-WINTER UTILITY SERVICE CUTOFFS FOR ELECTRIC AND GAS RESIDENTIAL CUSTOMERS** For the months of December, January, February and March of each year, residential customers who are unable to pay the full amount of their utility bill because of extreme financial difficulty may qualify for mid-winter rule which prohibits disconnection of service in those cases where the customer has complied with the following:

(1) The customer shall inform the utility of the customer's inability to pay the utility bill in full due to extreme financial difficulty and shall, prior to the cutoff time provided in the notice of cutoff (if such notice has been given), deliver to the local office of the utility a copy of the most recent bill along with a signed statement by the customer clearly identifying the service location involved and certifying the existence of the extreme financial difficulty claimed.

(2) Upon receipt of the above, the utility shall be prohibited from disconnecting the customer's service during the months of December, January, February and March if the customer agrees to the following extended payment plan:

(a) First, the customer shall pay the utility in full all amounts due utility on bills rendered to customer prior to November 11th.

(b) Second, the utility shall determine the monthly amount the customer would pay for utility service under the utility's level payment plan as

provided for in the utility's filed tariff or by adding the amounts charged to that customer for utility service for the previous twelve (12) months and dividing the sum by twelve (12). If the customer has not received service from the utility for a sufficient period of time to determine a level payment amount for that specific customer, the utility will use a level payment amount for an average residential customer in the same geographical location.

(c) Third, the customer shall enter into a special payment plan, the first payment of which will be due upon execution of the plan, under which the customer shall pay the utility a sum equal to 133% of the levelized billing amount for the customer until such time as all amounts due the utility for previous utility service have been paid and the customer is current in his utility bill. Thereafter, at the option of the utility, the customer may be required to participate in the utility's level payment plan and shall pay the utility each month, the levelized billing amount applicable to that particular customer.

(3) Should the customer enter into an agreement with the utility as set forth above and fail to abide by the terms of that agreement, the utility shall have the right to terminate service to the customer after giving at least five (5) days written notice to the customer. Provided, however, a customer's service shall not be terminated under circumstances during the months of December, January, February or March if the customer has provided the utility with a written statement signed by a licensed physician certifying that the discontinuance of domestic heating service to the customer would create a medical emergency for the customer or any member of the customer's household.

(4) Any customer claiming the benefit of the "medical emergency" exception to this rule shall not have service terminated following the expiration of the midwinter period if, by April 1st following the mid-winter period the customer agrees to pay, and does pay, to the utility a sum equal to 133% of the levelized billing amount provided for above from and after April 1st and until such time as all amounts due the utility for previous utility service have been paid and the customer is current in his utility bill.

(5) All public utilities subject to this rule shall provide and make available to their customers at all offices appropriate forms for use by the customer in certifying the claimed financial emergency or the medical emergency condition. Said forms shall be approved for use by the Public Service Commission. The utility shall issue a receipt to the customer acknowledging receipt of any written notice or other material delivered by the customer pursuant to this rule and, in the event of a dispute between the utility and the customer, the customer's proof of delivery shall be the receipt.

(6) Any customer claiming the privilege of this rule may be required to sign a waiver permitting the utility to obtain income or benefit information from any public or private agency or from any private employer. The utility shall not divulge this information to any person or entity other than the customer or the Public Service Commission without the consent of the customer.

(7) Notwithstanding any other provision of this rule to the contrary, a customer shall not be allowed to carry forward any unpaid balance due under the provisions of this plan beyond December 1st of the following winter season.

(8) Nothing herein shall prevent the utility and the customer from agreeing on a different payment plan more acceptable to the customer than the plan set forth above.\*

#### F. OTHER EXCEPTIONS TO UTILITY DISCONTINUANCE OF SERVICE

##### (1) LIFE THREATENING SITUATION

(a) No utility shall discontinue service to any residential customer for a period of sixty (60) days for nonpayment when the utility receives written notice from a medical doctor licensed to practice in the State of Mississippi, or any adjoining state, certifying that discontinuance of service would create a life threatening situation for the customer or other permanent resident of the customer's household.

(b) All public utilities subject to this rule shall provide and make available to their customers at all offices appropriate forms for use by the customer in certifying the life threatening situation. The utility shall issue a receipt to the customer acknowledging receipt of the written notice pursuant to this rule.

(2) NON-UTILITY SERVICE No utility shall discontinue service to any customer for failure to pay the utility for non-utility services or products.

##### (3) EXEMPTIONS FOR TEMPERATURE

(a) No utility shall discontinue electrical or natural gas service to a residential customer for nonpayment of bills if, as of 8:00 a.m. on the scheduled disconnection day, a freeze warning has been issued by the National Weather Service for the county of the scheduled disconnection.

(b) No utility shall discontinue electrical service to a residential customer for nonpayment of bills if, as of 8:00 a.m. on the scheduled disconnection day, an Excessive Heat Warning has been issued by the National Weather Service for the county of the scheduled disconnection.



## **RULES AND REGULATIONS GOVERNING PUBLIC UTILITY SERVICE**

### **RULE 9. CUSTOMER DEPOSITS**

#### **A. DEPOSIT REQUIREMENTS**

(1) **REGULAR CUSTOMER CLASSIFICATION** Each utility may require from any customer or prospective customer a cash deposit to guarantee the payment of any such bills due or which may become due from such customer and safe return of all property belonging to the utility installed at the customer's premises or elsewhere. Such required deposit shall not exceed an amount equivalent to a single estimated average bill in the case of residential customers and two estimated maximum bills for any other customers; provided, however, for all utilities as defined in 77-3-3(d)(3) of the Mississippi Code of 1972, the required deposit shall not exceed the average final bill of customers with similar class and type of service. Each utility may require a reasonable deposit to guarantee safe return of personal property placed in the possession of the customer.\*

(2) **SPECIAL CUSTOMER CLASSIFICATION** Upon request, each utility shall refund the Cash Deposit collected from a residential customer or waive any requirement of Cash Deposit from a residential customer when such person meets the following specific criteria:

(a) Presents satisfactory proof that his or her age is sixty (60) years or more. A birth certificate shall be considered satisfactory proof of age.

(b) indicates that he or she is a primary user of the utility service and subscribed for such service in his or her own name.

(c) Affirms responsibility for the payment of bills for the utility.

(d) Has demonstrated a reasonable payment pattern by having had no balance carried forward from one month's bill to the next during the prior twelve month period. In the event that such deposit has been refunded or waived and the customer's payment pattern changes from the foregoing to one of greater frequency of past due bills or bills with prior balances, customers will be required to restore the deposit so refunded or waived plus any additional amount required to guarantee payment up to the limits set forth in paragraph (1 ) above.\*\*

(3) **PAYMENT OF DEPOSITS** Residential customers may negotiate monthly installments for initial service deposits in excess of One Hundred Dollars (\$100.00) provided that the entire amount of the deposit is paid within 60 days.



## **PUBLIC UTILITIES RULES OF PRACTICE AND PROCEDURE**

### **Chapter 15 Public Proceedings**

#### **Rule 15**

##### **101 Public Hearings**

###### **1. Open to the Public**

All hearings conducted by the Commission are open to the public and hearings conducted in the Commission's Courtroom, may be viewed on the Internet through the Commission's website. Provided however, that the Commission may close the hearing in order to protect any trade secrets, confidential information or other matters exempt from public disclosure, and during such closed hearings the Internet broadcast will be stopped.

###### **2. When Held**

The Commission shall hold full or abbreviated public hearings in all matters where:

- a. Public hearing is required by law or Commission regulation.
- b. In the discretion of the Commission, it is necessary or appropriate to hold such public hearings.

###### **3. Abbreviated Proceedings**

Abbreviated proceedings may satisfy a requirement of public hearing if the Commission's order is supported by the data, documentation and exhibits on file in the proceedings. Abbreviated proceedings may include, but shall not be limited to, proceedings wherein factual or procedural determination are made by order of the Commission upon written stipulations between the utility and the Staff, provided that all parties are afforded an opportunity to submit in writing, argument, evidence and testimony in contravention to the proposed stipulated facts or procedure or in support or opposition to regulatory policy making.